

TITLE 105 INDIANA DEPARTMENT OF TRANSPORTATION

Emergency Rule
LSA Document #21-463(E)

DIGEST

Amends [105 IAC 10-4-3](#) for the fee structure of permits for overweight divisible loads. Effective January 1, 2022.

[105 IAC 10-4-3](#)

SECTION 1. [105 IAC 10-4-3](#) IS AMENDED TO READ AS FOLLOWS:

[105 IAC 10-4-3](#) Permit fee schedule

Authority: [IC 8-23-2-6](#); [IC 9-20-1-5](#); [IC 9-20-6-2.2](#)

Affected: [IC 8-14-1](#); [IC 9-20](#)

Sec. 3. (a) Except as otherwise ordered by the commissioner of the department, all permit fees collected from issuance of divisible load permits will be transferred to the department's portion of the motor vehicle highway account (as established in [IC 8-14-1](#)) to assist in defraying costs of repairs or replacement of the road and bridge infrastructure consumed through use of overweight divisible loads with ESAL values in excess of two and four-tenths (2.4) ESALs.

(b) For each permit issued under this rule, an applicant shall pay a twenty dollar (\$20) administrative fee in addition to other permit fees as provided under this section.

(c) Divisible load permit fees shall be calculated as follows:

(1) A legal eighty thousand (80,000) pound, five (5) axle tractor trailer is measured to have an ESAL value of approximately two and four-tenths (2.4) ESALs. Loads exceeding eighty thousand (80,000) pounds require divisible or nondivisible overweight permits and will be charged for all additional ESALs in excess of two and four-tenths (2.4) ESALs on a per mile basis.

(2) Permitted ESALs for a given permit shall be the total vehicle ESAL value of the permitted vehicle minus the two and four-tenths (2.4) ESALs allowed by a legal load without a permit (ESAL - 2.4).

(3) ESAL miles are the permitted ESAL value multiplied by the miles to be driven on the route specified in the permit. ((ESAL-2.4) × miles traveled).

(4) The total fee for an individual trip permit will be the administrative fee of twenty dollars (\$20) plus ~~seven~~ **twenty-five cents (\$0.25)** per ESAL mile above the allowed two and four-tenths (2.4) ESALs.

(\$20+((0.25) × (ESAL-2.4) × (miles traveled))). See a sample calculation of permit fee in Figure 3.

(5) Annual multitrip permits for vehicles greater than eighty thousand (80,000) pounds and less than two and four-tenths (2.4) total vehicle ESALs shall be issued at a zero (0) ESAL-mile fee and the twenty dollar (\$20) administrative fee.

Figure 3. Example of calculation of total permit fee.

For an overweight vehicle with a calculated ESAL value of 4.0 that is going to travel 250 miles:
= \$20 admin fee + ~~(\$0.07/ESAL mile)~~ **(\$0.25/ESAL mile)** × (4.0 ESALs - 2.4 ESAL credit) × 250 miles

Simplifying 4.0-2.4 = 1.6

= \$20 administrative fee + ~~(\$0.07/ESAL mile)~~ **(\$0.25/ESAL mile)** × (1.6 ESALs) × 250 miles

Simplifying ~~0.07~~ **.25** × 1.6 × 250 = ~~28~~ **93.75**

= \$20 + ~~\$28~~ **\$93.75**

= ~~\$48~~ **\$113.75**

= **\$144 (rounded up)**

(d) All permit fees shall be rounded up to the nearest dollar.

(Indiana Department of Transportation; [105 IAC 10-4-3](#); emergency rule filed Dec 26, 2013, 1:48 p.m.:

[20140108-IR-105130568ERA](#), eff Jan 1, 2014; readopted filed Oct 4, 2019, 9:49 a.m.:

[20191030-IR-105190422RFA](#); emergency rule filed Oct 8, 2021, 12:58 p.m.: [20211020-IR-105210463ERA](#), eff

Jan 1, 2022)

LSA Document #21-463(E)

Filed with Publisher: October 8, 2021, 12:58 p.m.

Posted: 10/20/2021 by Legislative Services Agency

An [html](#) version of this document.